



agriculture, rural development,
land & environmental affairs
MPUMALANGA PROVINCE
REPUBLIC OF SOUTH AFRICA

Building No. 6, No. 7 Government Boulevard, Riverside Park, 1200, Mpumalanga Province
Private Bag X 11219, 1200

Tel: +27 (013) 766 6067/8, Fax: +27 (013) 766 8295, Int Tel: +27 (13) 766 6067/8, Int Fax: +27 (13) 766 8295

Litiko Letekulima, Kutfuitfukiswa
Kwetindzawo Tasemakhaya, Temhlaba
Netesimondzawo

Departement van Landbou,
Landelike Ontwikkeling,
Grond en Ongewing Sake

umNyango weZelimo
UkuT huthukiswa kweeNdawo
zemaKhaya,

Enquiries : Mahlalela Nontokoza
Telephone : (017) 811 3951/4830
Reference : 17/2/3 GS-217

Nelisiwe Sithole
Department of Agriculture, Rural Development, Land and Environmental Affairs
Private Bag X 11219
Nelspruit
1200

Fax : (013) 766 8429

Dear Sir/ Madam

THE PROPOSED CONSTRUCTION OF AMERSFOORT ABATTOIR ON A PORTION OF PORTION 19 OF THE FARM AMERSFOORT TOWNLANDS 57 HS IN DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY, MPUMALANGA PROVINCE

With reference to the abovementioned application, please be advised that the Department has decided to grant authorisation. The environmental authorisation and reasons for the decision are attached herewith.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2010, you are instructed to notify all registered interested and affected parties, in writing and within 12 days of the date of this letter, of the Department's decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the regulations.

Your attention is drawn to Chapter 7 of the Regulations, which regulates appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the MEC, within 20 days of receiving this letter, by means of one of the following methods:

By facsimile: (013) 766 6067/8

By post: Private Bag x 11219
Nelspruit
1200



By hand: Building 6, No 7 Government Boulevard,
Riverside Park
Nelspruit
1200

Should you decide to appeal, you must serve a copy of your notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Yours sincerely



DR. A. DE LANGE
ACTING CHIEF DIRECTOR: ENVIRONMENTAL SERVICES
DATE: 30/4/15

cc: Anne-Mari White
Aurecon (Pty) Ltd
(013) 753 2116
Nelspruit@uarecongroup.com





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zemaKhaya,

Environmental Authorisation

Authorisation register number: 17/2/3/GS – 217

Holder of Authorisation: Department of Agriculture, Rural Development, Land
and Environmental Affairs

Location of activity: A portion of portion 19 of the farm Amersfoort
Townlands 57 HS in Dr Pixley Ka Isaka Seme Local
Municipality, Mpumalanga Province



1. Decision

The Department is satisfied on the basis of the information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activity as specified below. Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

2. Activity authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations 2010, the Department hereby authorises:

Department of Agriculture, Rural Development, Land and Environmental Affairs
Private Bag X 11219
Nelspruit
1200

Contact person : Nelisiwe Sithole
Tel : (013) 766 6082/6048/6020
Fax : (013) 766 8429

To undertake the following activities listed in Government Notices R544 of 18 June 2010 associated with the construction of a poultry abattoir with an initial slaughtering capacity of 20 000 broilers per week in Dr Pixley Ka Isaka Seme Local Municipality, Mpumalanga Province. The site coordinates are: 27° 0' 12.69" S and 29° 50' 54.29" E. Listing Activity, Refer to the table below:

Indicate the number and date of the relevant notice	Activity No (s) (in terms of relevant notice)	Extent to which Activity is Authorised
National Environmental management Act, (Act 107 of 1998) GN. R. R544, 18 June 2010	3	The construction of facilities or infrastructure for the slaughter of animals with a product throughput of: (i) poultry exceeding 50 poultry per day; or game and red meat exceeding 6 units per day.
National Environmental management Act, (Act 107 of 1998) GN. R. R544, 18 June 2010	5	The construction of facilities or infrastructure for the concentration of: (i) more than 1 000 poultry per facility situated within an urban area, excluding chicks younger than 20 days



		(ii) more than 5 000 poultry per facility situated outside an urban area, excluding chicks younger than 20 days,
National Environmental management Act, (Act 107 of 1998) GN. R. R544, 18 June 2010	8	The construction of a hatchery or agri-industrial infrastructure outside industrial complexes where the development footprint covers an area of 2 000 square metres or more.
National Environmental management Act, (Act 107 of 1998) GN. R. R544, 18 June 2010	11	<p>The construction of:</p> <ul style="list-style-type: none"> (i) canals; (ii) channels; (iii) bridges; (iv) dams; (v) weirs; (vi) bulk storm water outlet structures; (vii) marinas; (viii) jetties exceeding 50 square metres in size; (ix) slipways exceeding 50 square metres in size; (x) buildings exceeding 50 square metres in size; or (xi) infrastructure or structures covering 50 square metres or more <p>where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.</p>

The granting of this Environmental Authorisation is subject to the conditions set out below:



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3. Conditions of authorisation

Scope of Authorisation

- 3.1 Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
- 3.2 The holder of the authorisation must ensure compliance with the conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the authorisation.
- 3.3 The activity which is authorised may only be carried out at the property indicated above.
- 3.4 Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the Environmental Authorisation to apply for further Environmental Authorisation in terms of the Regulations.
- 3.5 A copy of this Environmental Authorisation must be made available on site at all times and all relevant staff, contractors and sub-contractors must be familiar with the contents of this Environmental Authorisation.
- 3.6 This activity must commence within a period of **four (4) years** from the date of issue. If commencement of the activity does not occur within that period, the Environmental Authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
- 3.7 The Department may change or amend any of the conditions in this Environmental Authorisation if, in the opinion of the Department is environmentally justified.
- 3.8 In the event of any dispute concerning the significance of a particular impact, the opinion of the Department in respect of its significance will prevail.
- 3.9 This Environmental Authorisation does not negate the holder of the authorisation, responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.
- 3.10 The holder of this Environmental Authorisation is responsible for compliance with the provisions for **Duty of Care and Remediation of Environmental Damage** contained in Section 28 of the National Environmental Management Act, 1998 (Act 107 of 1998)

Appeal of authorisation



- 3.11 The holder of the authorisation must notify every registered interested and affected party, in writing and within **12 days**, of receiving notice of the Department's decision to authorise the activities.

The notification referred to above must:

- a) Specify the date on which the authorisation was issued;
- b) Inform the interested and affected parties of the appeal procedure provided for in Chapter 7 of the regulations; and
- c) Advise the interested and affected parties that a copy of the authorisation and reasons for the decision will be furnished on request.

Management and monitoring of the activities

- 3.12 The Environmental Management Programme (EMPr) incorporated in the Basic Assessment Report is hereby **approved**.
- 3.13 The applicant must appoint an independent Environmental Control Officer (ECO) that will have the responsibility of implementing the approved EMPr and ensuring compliance with the conditions of this environmental authorisation.
- 3.14 The Department retains the right to monitor and/ or inspect the proposed project during both construction and operational phases.

Commissioning and operation of the activities

- 3.15 **Fourteen (14) days** written notice must be given to the Department that the activities will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence.
- 3.16 All waste generated must be stored, handled and disposed of at a registered landfill site. The pollution of adjacent areas due to improper storage of construction materials as well as other hazardous substances must be prevented.
- 3.17 Where possible construction waste on site must be recycled and reused.
- 3.18 All waste such as blood, feathers and carcasses must be sent to a protein rendering plant.
- 3.19 Odour generated from bacterial degradation must be minimised.
- 3.20 The constructor must make sure that there is no faunal species disturbed, trapped, hunted or killed during the construction phase. All animals captured must be released in appropriate habitat away from the development.



- 3.21 It is the responsibility of the holder of the authorisation to rectify any source of pollution from their undertaking and to take appropriate measures to prevent any pollution of surface as well as ground water.
- 3.22 The clearance of vegetation must be limited to the area of development.
- 3.23 Speed limit should be implemented on site roads to avoid the liberation of dust into the atmosphere and regular application of water during dry periods should be implemented to suppress dust.
- 3.24 Work must be carried out between 7am and 5pm and no work should be carried out on weekends.
- 3.25 The mixing of chemicals and hazardous substances must take place on impermeable surfaces.
- 3.26 Construction and stockpiling of any material must not be within 50m from the tributaries, environmental sensitive areas, power lines and roads.
- 3.27 All comments and complaints received from the public during the construction and operational phases of the activity must be attended to as soon as possible and addressed to the satisfaction of all concerned.
- 3.28 Applicable notification signs must be erected warning the public of the dangers around the construction site.
- 3.29 Structures that are vulnerable to high wind must be secured (including scaffolds and toilets).
- 3.30 No oil spills, concrete or other construction material must be allowed to remain on site after the construction phase.
- 3.31 All earth moving vehicles and equipments must be regularly maintained to ensure their integrity and reliability. No repairs may take place beyond the contractor's lay-down area.
- 3.32 Adequate storm water control and management measures must be implemented to ensure that contaminants are not introduced into water resources.
- 3.33 The construction camp and temporary access roads must be established on an area that has previously been disturbed.
- 3.34 Construction personnel must be sensitized to the requirements of the South African Heritage Resources Act. Should any material of cultural or archaeological significance be encountered during construction, all activities must cease immediately and the South African Heritage Resources Agency (SAHRA) must be informed accordingly.



Site closure and Decommissioning

- 3.35 In case of decommissioning, a detailed Rehabilitation Plan must be submitted to this Department for approval at least **six (6) months** prior to the decommissioning phase.

General

- 3.36 A copy of this authorisation must be kept at the property where the activities will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
- 3.37 Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details; the applicant must notify the Department **as soon as** the new details become known to the applicant.
- 3.38 The holder of the authorisation must notify the Department, in writing and within 24 (twenty four) hours, if conditions of this authorisation are not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- 3.39 Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the regulations.
- 3.40 National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

ENVIRONMENTAL AUTHORISATION APPROVED BY:



DR. A. DE LANGE

ACTING CHIEF DIRECTOR: ENVIRONMENTAL SERVICES

DATE: 30/4/15

ANNEXURE1: REASONS FOR THE DECISION



1. Background

The applicant, **Department of Agriculture, Rural Development, Land and Environmental Affairs**, applied for authorisation to carry out the following activity listed in Government Notices R544 of 18 June 2010 associated with the construction of a poultry abattoir with an initial slaughtering capacity of 20 000 broilers per week in Dr Pixley Ka Isaka Seme Local Municipality, Mpumalanga Province. The site coordinates are: 27° 0' 12.69" S and 29° 50' 54.29" E. Listed Activities, Refer to the table below:

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National Environmental management Act, (Act 107 of 1998) GN. R. R544, 18 June 2010	5	The construction of facilities or infrastructure for the concentration of: (iii) more than 1 000 poultry per facility situated within an urban area, excluding chicks younger than 20 days (iv) more than 5 000 poultry per facility situated outside an urban area, excluding chicks younger than 20 days,
National Environmental management Act, (Act 107 of 1998) GN. R. R544, 18 June 2010	8	The construction of a hatchery or agri-industrial infrastructure outside industrial complexes where the development footprint covers an area of 2 000 square metres or more.
National Environmental management	11	The construction of: (xii) canals;



<p>Act, (Act 107 of 1998) GN. R. R544, 18 June 2010</p>		<p>(xiii) channels; (xiv) bridges; (xv) dams; (xvi) weirs; (xvii) bulk storm water outlet structures; (xviii) marinas; (xix) jetties exceeding 50 square metres in size; (xx) slipways exceeding 50 square metres in size; (xxi) buildings exceeding 50 square metres in size; or (xxii) infrastructure or structures covering 50 square metres or more</p> <p>where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.</p>
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2. The applicant appointed the following Environmental Assessment Practitioner to undertake the Environmental Assessment process:

Aurecon (Pty) Ltd
P O Box 3135
Nelspruit
1200

Contact Person : Anne-Mari White
Tel : (013) 752 7055
Fax : (013) 753 2116
Email : Nelspruit@uarecongroup.com

3. Information considered in making a decision.

In reaching its decision, the Department took the following into consideration:



- a) The information contained in the Final Basic Assessment Report received by the Department on the 15 January 2015;
- b) The objective and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- c) The studies included in the Basic Assessment Report;
- d) The outcome of the public participation process as included in the Basic Assessment Report; and
- e) The site visit conducted by Nontokozi Mahlalela, Thabile Mahlaku and Sindisiwe Mbuyane from this Department and Anne-Mari from Aurecon (Pty) Ltd on the 14th of April 2015.

4 Key factors considered in making the decision.

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues that, in the Department's views, were of the most significance is set out below:

- a) Need and Desirability of the project;
- b) Alternative considered;
- c) Sustainability;
- d) The ecological value of the site where the development will take place; and
- e) Public Participation.

5. Findings

After consideration of the information and factors listed above, the Department made the following findings:

- a) The implementation of the activities would create employment opportunities and therefore stimulate the local economic growth.
- b) The proposed area was previously used for agricultural purposes and has been left to re-vegetate with pioneer grass and *forb* species.
- c) The vegetation within the area is significantly degraded with the extensive invasion of *stoebe vulgaris* (*bankrupt bush*).
- d) According to Mpumalanga Conservation Plan the biodiversity status of the area is of low priority, but the proposed area also falls within Freshwater Ecosystem Priority Area which its terrestrial biodiversity has been given a priority status of Least Concern.
- e) Interested and Affected Parties were given a chance to comment and no objectives were received



In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management as laid down in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated for to acceptable levels. Authorisation is accordingly granted.



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